

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Cause No. 1:13-cr-0184-SEB-DML
)	
AMANDA KEETON,)	
)	
Defendant.)	

- 04

REPORT AND RECOMMENDATION

On June 3, 2019, the Court held a hearing on the Petition for Warrant or Summons for Offender Under Supervision filed on March 18, 2019. Defendant Keeton appeared in person with her appointed counsel Dominic Martin. The government appeared by Jeff Preston, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer Elsi Bernabe.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Keeton of her rights and provided her with a copy of the petition. Defendant Keeton orally waived her right to a preliminary hearing.
2. After being placed under oath, Defendant Keeton admitted violation numbers 1, 2, and 3. [Docket No. 351.]
3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

**Violation
Number**

Nature of Noncompliance

- 1 **“The defendant shall not commit another federal, state or local crime.”**

On March 12, 2019, Ms. Keeton was charged in Scott County, Indiana, under case number 72C01-1903-F6-000120 for Possession of Methamphetamine as a Level 6 Felony, Maintaining a Common Nuisance as a Level 6 Felony, and Possession of Paraphernalia as a Class C Misdemeanor. According to the affidavit, Austin City Police had arrived at 967 North 2nd Street (the offender's address) to attempt to locate Eric Sizemore who had an outstanding warrant. Sizemore was inside and was taken into custody from his bedroom. In his bedroom, Amanda Keeton was found laying in the bed. In plain view, officers located a corner cut bag containing methamphetamine. Also found was a spoon with burn marks. Other items located included two corner cut bags with methamphetamine and three spoons that were burnt and contained a white substance. Ms. Keeton was placed under arrest and transported to the Scott County Jail.

- 2 **“You must refrain from any unlawful use of a controlled substance.”**

As previously reported to the Court, on December 20, 2018, Amanda Keeton tested positive for Buprenorphine. She admitted to ingesting Suboxone that was not prescribed to her.

- 3 **“The defendant shall not meet, communicate, or otherwise interact with a person whom the defendant knows to be engaged, or planning to be engaged, in criminal activity, or whom the defendant knows to have been convicted of a felony, unless granted permission to do so by the probation officer.”**

Ms. Keeton has been advised by this officer on numerous occasions that she could not reside at the same residence as Mr. Eric Sizemore as he was actively on Parole and had previous felony convictions. Ms. Keeton had informed this officer that Sizemore was not living at the residence of 967 North 2nd Street in Austin, Indiana, but was residing down the road with his sister. Ms. Keeton was advised she could not have a relationship with Sizemore while she was under supervision to which she stated she understood.

4. The parties stipulated that:

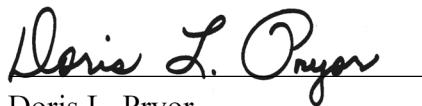
- (a) The highest grade of violation is a Grade B violation.
- (b) Defendant's criminal history category is III.
- (c) The range of imprisonment applicable upon revocation of supervised release, therefore, is 8 to 14 months' imprisonment.

5. The parties jointly recommended a sentence of six (6) months with no supervised release to follow.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that her supervised release should be revoked, and that she should be sentenced to the custody of the Attorney General or his designee for a period of six (6) months with no supervised release to follow. The Defendant is to be taken into custody immediately pending the District Judge's action on this Report and Recommendation. The Magistrate Judge will make a recommendation of placement at FPC Alderson.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties waived the fourteen-day period to object to the Report and Recommendation.

Date: 6/27/2019


Doris L. Pryor
United States Magistrate Judge
Southern District of Indiana

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